

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CAPITOL RECORDS, LLC, et al,	X	
	:	
<i>Plaintiffs,</i>	:	07 Civ. 9931 (WHP)
	:	
v.	:	
	:	
MP3TUNES, LLC, and MICHAEL	:	<b>NOTICE OF MOTION FOR</b>
ROBERTSON,	:	<b>RECONSIDERATION</b>
	:	<b><u>(PERSONAL JURISDICTION)</u></b>
<i>Defendants.</i>	:	
	X	

PLEASE TAKE NOTICE that, pursuant to the Scheduling Order, dated September 14, 2012, the Revised Scheduling Orders, dated September 26, 2012, September 27, 2012 and October 18, 2012, and the Order, so ordered on November 7, 2012, in the above captioned action, and upon the accompanying Memorandum of Law, Declaration of Ira S. Sacks, dated November 12, 2012, Declaration of Mark S. Lafayette, dated November 12, 2012 (the “Lafayette Dec.”), and Declaration of Defendant Michael Robertson (“Robertson”), dated November 11, 2012, and all pleadings and prior proceedings had herein, the undersigned attorneys for Robertson shall move this Court, before the Honorable William H. Pauley, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, Room 20B, New York, New York 10007, at a time set by the Court:

(1) for reconsideration, pursuant to Local Rule 6.3, of the Court’s decision and order, set forth on the record on July 20, 2012, and entered on July 23, 2012 denying Robertson’s Motion for Summary Judgment on the issue of personal jurisdiction;

(2) upon grant of reconsideration, for an order granting summary judgment dismissing the above captioned action against Robertson for lack of personal jurisdiction; and

(3) for such other and further relief as the Court finds just and proper.

Dated: New York, New York  
November 12, 2012

Respectfully submitted,

By: s/ Ira S Sacks  
Ira S. Sacks  
Mark S. Lafayette  
AKERMAN SENTERFITT LLP  
335 Madison  
26th Floor  
New York, NY 10017  
Tel: (212) 880-3800  
Fax: (212) 880-8965

*Attorneys for Defendant Michael Robertson*